

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA**

In re:)	Bankruptcy No. 25-30002
)	Chapter 11
Generations on 1st, LLC)	
)	
Debtor, Jointly Administered.)	
)	
Parkside Place, LLC)	Bankruptcy No. 25-30003
)	Chapter 11
Debtor, Jointly Administered.)	
)	
The Ruins, LLC)	Bankruptcy No. 25-30004
)	Chapter 11
Debtor.)	
)	
)	Adversary No. 25-7009
Generations on 1st, LLC, Parkside)	
Place, LLC and The Ruins, LLC,)	
)	
Plaintiffs,)	
v.)	
)	
Red River State Bank,)	
)	
Defendant.)	
)	

ORDER DENYING MOTION TO DISMISS

On November 12, 2025, Debtors Generations on 1st, LLC, Parkside Place, LLC and The Ruins, LLC filed a First Amended Complaint alleging claims and causes of action against Defendant Red River State Bank (“RRSB”). RRSB filed an Answer and Counterclaim and Third-Party Complaint on December 10, 2025. Doc. 31. The Counterclaim and Third-Party Complaint prompted Debtors to file a Motion to Dismiss Counterclaims and Strike Third-Party Complaint. Doc. 36. On January 27, 2026, RRSB filed an Amended Answer and Claim. In this pleading RRSB omitted its third-party

claims. Additionally, RRSB amended its counterclaim prayer for relief to seek a reduction of its alleged liability to Debtors consistent with the doctrine of recoupment. The Amended Answer and Counterclaim replace its original Answer and Counterclaim and Third-Party Complaint, rendering moot Debtors' Motion to Dismiss Counterclaims and Strike Third-Party Claim. See Pure Country, Inc. v. Sigma Chi Fraternity, 312 F.3d 952, 956 (8th Cir. 2002) ("[Plaintiff's] motion to amend the complaint rendered moot [defendant's] motion to dismiss the original complaint.").

IT IS ORDERED that Debtors' Motion to Dismiss Counterclaims and Strike Third-Party Claim [Doc. 36] is denied because it is moot.

Dated: January 29, 2026.

A handwritten signature in black ink, appearing to read "Shon Hastings". The signature is fluid and cursive, with the first name "Shon" and last name "Hastings" clearly distinguishable.

Shon Hastings, Judge
United States Bankruptcy Court